

House File 870 - Introduced

HOUSE FILE 870

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 810)

(SUCCESSOR TO HSB 262)

A BILL FOR

1 An Act regarding the registration and titling of motor
2 vehicles, including by providing for initial registration
3 and titling by any county treasurer and by modifying related
4 fees and the amount of fees retained by county treasurers.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.20, subsection 1, unnumbered
2 paragraph 1, Code 2021, is amended to read as follows:
3 Except as provided in this chapter, an owner of a vehicle,
4 or a lessor of a vehicle pursuant to chapter 321F which has a
5 gross vehicle weight of less than ten thousand pounds, which
6 is subject to registration, shall make application to the any
7 ~~county treasurer of the county of the owner's residence, or~~
8 ~~if a nonresident, to the county treasurer of the county where~~
9 ~~the primary users of the vehicle are located, or if a lessor~~
10 ~~of the vehicle pursuant to chapter 321F which vehicle has a~~
11 ~~gross vehicle weight of less than ten thousand pounds, to the~~
12 ~~county treasurer of the county of the lessee's residence,~~
13 ~~or if a firm, association, or corporation with vehicles in~~
14 ~~multiple counties, the owner may make application to the county~~
15 ~~treasurer of the county where the primary user of the vehicle~~
16 ~~is located~~, for the initial registration and issuance of a
17 certificate of title for the vehicle upon the appropriate form
18 furnished by the department. However, upon the transfer of
19 ownership, the owner of a vehicle subject to the apportioned
20 registration provisions of chapter 326 shall make application
21 for issuance of a certificate of title to either the department
22 ~~or the appropriate~~ any county treasurer. The owner of a
23 vehicle purchased pursuant to section 578A.7 shall present
24 documentation that such sale was completed in compliance with
25 that section. The application shall be accompanied by a fee
26 of ~~twenty~~ twenty-five dollars, and shall bear the owner's
27 signature. A nonresident owner of two or more vehicles subject
28 to registration may make application for initial registration
29 and issuance of a certificate of title for all vehicles subject
30 to registration to ~~the any~~ county treasurer ~~of the county where~~
31 ~~the primary user of any of the vehicles is located~~. The owner
32 of a mobile home or manufactured home shall make application
33 for a certificate of title under this section from the county
34 treasurer of the county where the mobile home or manufactured
35 home is located. The application shall contain:

1 Sec. 2. Section 321.20, subsections 2, 3, and 4, Code 2021,
2 are amended to read as follows:

3 2. Notwithstanding contrary provisions of [this chapter](#)
4 or [chapter 326](#) regarding titling and registration by means
5 other than electronic means, the department shall, ~~by July 1,~~
6 ~~2019,~~ develop and implement a program to allow for electronic
7 applications, titling, registering initial registrations, and
8 funds transfers for vehicles subject to registration in order
9 to improve the efficiency and timeliness of the processes and
10 to reduce costs for all parties involved. The program shall
11 also provide for the electronic submission of any statement
12 required by [this section](#), except where prohibited by federal
13 law.

14 3. The department shall adopt rules ~~on~~ pursuant to chapter
15 17A to administer this section, including rules relating to the
16 method for providing signatures for applications and statements
17 required by [this section](#) that are made by electronic means.

18 ~~4. Notwithstanding [this section](#) or any other provision of~~
19 ~~law to the contrary, if the program required by subsection~~
20 ~~2 is not implemented by July 1, 2019, an owner of a vehicle~~
21 ~~subject to registration may apply to the county treasurer of a~~
22 ~~county contiguous to the county designated for the owner under~~
23 ~~[subsection 1](#) for registration and issuance of a certificate of~~
24 ~~title.~~

25 Sec. 3. Section 321.20A, subsection 1, Code 2021, is amended
26 to read as follows:

27 1. Notwithstanding other provisions of [this chapter](#),
28 the owner of a commercial vehicle subject to the apportioned
29 registration provisions of [chapter 326](#) may make application
30 to the department or ~~the appropriate~~ any county treasurer
31 for a certificate of title. The owner of a commercial
32 vehicle purchased pursuant to [section 578A.7](#) shall present
33 documentation that such sale was completed in compliance with
34 that section. The application for certificate of title shall
35 be made within thirty days of purchase or transfer and shall

1 be accompanied by a ~~twenty-dollar~~ twenty-five-dollar title fee
2 and the appropriate fee for new registration. The department
3 or the county treasurer shall deliver the certificate of title
4 to the owner if there is no security interest. If there is a
5 security interest, the title, when issued, shall be delivered
6 to the first secured party. Delivery may be made using
7 electronic means.

8 Sec. 4. Section 321.23, subsections 3 and 4, Code 2021, are
9 amended to read as follows:

10 3. In the event an applicant for initial registration of
11 a foreign vehicle for which a certificate of title has been
12 issued is able to furnish evidence of being the registered
13 owner of the vehicle to ~~the~~ any county treasurer ~~of the owner's~~
14 ~~residence~~, although unable to surrender such certificate
15 of title, the county treasurer may issue a registration
16 receipt and plates upon receipt of the required annual
17 registration fee and the fee for new registration but shall
18 not issue a certificate of title thereto. Upon surrender of
19 the certificate of title from the foreign state, the county
20 treasurer shall issue a certificate of title to the owner,
21 or person entitled thereto, of such vehicle as provided in
22 this chapter. The owner of a vehicle registered under this
23 subsection shall not be required to obtain a certificate of
24 title in this state and may transfer ownership of the vehicle
25 to a motor vehicle dealer licensed under chapter 322 if, at the
26 time of the transfer, the certificate of title is held by a
27 secured party and the dealer has forwarded to the secured party
28 the sum necessary to discharge the security interest pursuant
29 to section 321.48, subsection 1.

30 4. A vehicle which does not meet the equipment requirements
31 of this chapter due to the particular use for which it is
32 designed or intended, may be registered by the department
33 upon payment of appropriate fees and after inspection and
34 certification by the department that the vehicle is not
35 in an unsafe condition. A person is not required to have

1 a certificate of title to register a vehicle under this
2 subsection. If the owner elects to have a certificate of
3 title issued for the vehicle, a fee of ~~twenty~~ twenty-five
4 dollars shall be paid by the person making the application
5 upon issuance of a certificate of title. If the department's
6 inspection reveals that the vehicle may be safely operated only
7 under certain conditions or on certain types of roadways, the
8 department may restrict the registration to limit operation of
9 the vehicle to the appropriate conditions or roadways. This
10 subsection does not apply to snowmobiles as defined in section
11 321G.1. [Section 321.382](#) does not apply to a vehicle registered
12 under [this subsection](#) which is operated exclusively by a person
13 with a disability who has obtained a persons with disabilities
14 parking permit as provided in [section 321L.2](#), if the persons
15 with disabilities parking permit is carried in or on the
16 vehicle and shown to a peace officer on request.

17 Sec. 5. Section 321.25, subsection 1, Code 2021, is amended
18 to read as follows:

19 1. A vehicle may be operated upon the highways of this
20 state without registration plates for a period of forty-five
21 days after the date of delivery of the vehicle to the purchaser
22 from a dealer if a card bearing the words "registration applied
23 for" is attached on the rear of the vehicle. The card shall
24 have plainly stamped or stenciled the registration number of
25 the dealer from whom the vehicle was purchased and the date
26 of delivery of the vehicle. In addition, a dealer licensed
27 to sell new motor vehicles may attach the card to a new motor
28 vehicle delivered by the dealer to the purchaser even if the
29 vehicle was purchased from an out-of-state dealer and the card
30 shall bear the registration number of the dealer that delivered
31 the vehicle. A dealer shall not issue a card to a person known
32 to the dealer to be in possession of registration plates which
33 may be attached to the vehicle. A dealer shall not issue a card
34 unless an application for initial registration and certificate
35 of title has been made by the purchaser and a receipt issued to

1 the purchaser of the vehicle showing the fee paid by the person
2 making the application. Dealers' records shall indicate the
3 agency to which the fee is sent and the date the fee is sent.
4 The dealer shall forward the application by the purchaser to
5 the county treasurer or state office within thirty calendar
6 days from the date of delivery of the vehicle. However, if the
7 vehicle is subject to a security interest and has been offered
8 for sale pursuant to [section 321.48, subsection 1](#), the dealer
9 shall forward the application by the purchaser to the county
10 treasurer or state office within thirty calendar days from the
11 date of the delivery of the vehicle to the purchaser.

12 Sec. 6. Section 321.29, Code 2021, is amended to read as
13 follows:

14 **321.29 Renewal not permitted.**

15 Any vehicle once registered in the state and by removal no
16 longer subject to registration in this state, shall upon being
17 returned to this state and subject to registration be again
18 initially registered in accordance with [section 321.20](#).

19 Sec. 7. Section 321.34, subsection 1, Code 2021, is amended
20 to read as follows:

21 1. *Plates issued.* The county treasurer upon receiving
22 application, accompanied by proper fee, for registration of a
23 vehicle shall issue to the owner one registration plate for
24 a motorcycle, motorized bicycle, autocycle, truck tractor,
25 trailer, or semitrailer and two registration plates for every
26 other motor vehicle. The registration plates, including
27 special registration plates, shall be assigned to the owner of
28 a vehicle. When the owner of a registered vehicle transfers
29 or assigns ownership of the vehicle to another person, the
30 owner shall remove the registration plates from the vehicle.
31 The owner shall forward the plates to ~~the~~ any county treasurer
32 ~~where the vehicle is registered~~ or the owner may have the
33 plates assigned to another vehicle within thirty days after
34 transfer, upon payment of the fees required by law. The
35 owner shall immediately affix registration plates retained

1 by the owner to another vehicle owned or acquired by the
 2 owner, providing the owner complies with [section 321.46](#). The
 3 department shall adopt rules providing for the assignment of
 4 registration plates to the transferee of a vehicle for which a
 5 credit is allowed under [section 321.46, subsection 6](#).

6 Sec. 8. Section 321.40, subsection 1, Code 2021, is amended
 7 to read as follows:

8 1. Application for renewal for a vehicle registered under
 9 this chapter shall be made on or after the first day of the
 10 month prior to the month of expiration of registration and up
 11 to and including the last day of the month following the month
 12 of expiration of registration. The application for renewal
 13 shall be submitted to the county treasurer of the county of
 14 the owner's residence; or if a nonresident, to the county
 15 treasurer of the county where the primary users of the vehicle
 16 are located; or if a lessor of the vehicle pursuant to chapter
 17 321F which has a gross vehicle weight of less than ten thousand
 18 pounds, to the county treasurer of the county of the lessee's
 19 residence; or if a firm, association, or corporation with
 20 vehicles in multiple counties, to the county treasurer of the
 21 county where the primary user of the vehicle is located. The
 22 registration shall be renewed upon payment of the appropriate
 23 annual registration fee. Application for renewal for a vehicle
 24 registered under [chapter 326](#) shall be made on or after the
 25 first day of the month prior to the month of expiration of
 26 registration and up to and including the last day of the month
 27 of expiration of registration.

28 Sec. 9. Section 321.42, subsection 2, paragraphs a, c, and
 29 d, Code 2021, are amended to read as follows:

30 a. If a certificate of title is lost or destroyed, the
 31 owner or lienholder shall apply for a replacement copy of the
 32 original certificate of title. The owner or lienholder of a
 33 motor vehicle may also apply for a replacement copy of the
 34 original certificate of title upon surrender of the original
 35 certificate of title with the application. The application

1 shall be made to the department or any county treasurer ~~who~~
 2 ~~issued the original certificate of title.~~ The application
 3 shall be signed by the owner or lienholder and accompanied by a
 4 fee of ~~twenty~~ twenty-five dollars.

5 *c.* If a security interest noted on the face of an original
 6 certificate of title was released by the lienholder on a
 7 separate form pursuant to section 321.50, subsection 5, and
 8 the signature of the lienholder, or the person executing the
 9 release on behalf of the lienholder, is notarized, but the
 10 lienholder has not delivered the original certificate to the
 11 appropriate party as provided in section 321.50, subsection 5,
 12 the owner may apply for and receive a replacement certificate
 13 of title without the released security interest noted thereon.
 14 The lienholder shall return the original certificate of title
 15 to the department or to the any county treasurer ~~of the county~~
 16 ~~where the title was issued.~~

17 *d.* A new purchaser or transferee is entitled to receive
 18 an original title upon presenting the assigned replacement
 19 copy to the any county treasurer ~~of the county where the new~~
 20 ~~purchaser or transferee resides.~~ At the time of purchase, a
 21 purchaser may require the seller to indemnify the purchaser and
 22 all future purchasers of the vehicle against any loss which
 23 may be suffered due to claims on the original certificate. A
 24 person recovering an original certificate of title for which
 25 a replacement has been issued shall surrender the original
 26 certificate to the county treasurer or the department.

27 Sec. 10. Section 321.46, subsections 1, 2, and 5, Code 2021,
 28 are amended to read as follows:

29 1. The transferee shall, within thirty calendar days after
 30 purchase or transfer, apply for and obtain from the any county
 31 treasurer ~~of the person's residence, or if a nonresident, the~~
 32 ~~county treasurer of the county where the primary users of the~~
 33 ~~vehicle are located or the county where all other vehicles~~
 34 ~~owned by the nonresident are registered, or in the case of a~~
 35 ~~mobile home or manufactured home, the county treasurer of the~~

1 ~~county where the mobile home or manufactured home is located,~~
 2 ~~or if a firm, association, or corporation with vehicles in~~
 3 ~~multiple counties, the transferee may apply for and obtain from~~
 4 ~~the county treasurer of the county where the primary user of~~
 5 ~~the vehicle is located,~~ a new initial registration and a new
 6 certificate of title for the vehicle, except as provided in
 7 section 321.25, 321.48, or 322G.12, or when the transferee
 8 obtains the vehicle pursuant to section 321.52, subsection 2,
 9 paragraph "b". In the case of a mobile home or manufactured
 10 home, the transferee shall, within thirty calendar days after
 11 purchase or transfer, apply for and obtain from the county
 12 treasurer of the county where the mobile home or manufactured
 13 home is located a new certificate of title. The transferee
 14 shall present with the application the certificate of title
 15 endorsed and assigned by the previous owner and shall indicate
 16 the name of the county in which the vehicle was last registered
 17 and the registration expiration date.

18 2. Upon filing the application for a new initial
 19 registration and a new title, the applicant shall pay a title
 20 fee of ~~twenty~~ twenty-five dollars, an annual registration fee
 21 prorated for the remaining unexpired months of the registration
 22 year, and a fee for new registration if applicable. A
 23 manufacturer applying for a certificate of title pursuant
 24 to section 322G.12 shall pay a title fee of ~~ten~~ fifteen
 25 dollars. However, a title fee shall not be charged to a
 26 manufactured or mobile home retailer applying for a certificate
 27 of title for a used mobile home or manufactured home, titled
 28 in Iowa, as required under section 321.45, subsection 4.
 29 The county treasurer, if satisfied of the genuineness and
 30 regularity of the application, and in the case of a mobile
 31 home or manufactured home, that taxes are not owing under
 32 chapter 435, and that applicant has complied with all the
 33 requirements of this chapter, shall issue a new certificate
 34 of title and, except for a mobile home, manufactured home,
 35 or a vehicle returned to and accepted by a manufacturer as

1 described in [section 322G.12](#), a registration card to the
2 purchaser or transferee, shall cancel the prior registration
3 for the vehicle, and shall forward the necessary copies to the
4 department on the date of issuance, as prescribed in section
5 321.24. Mobile homes or manufactured homes titled under
6 chapter 448 that have been subject under [section 446.18](#) to a
7 public bidder sale in a county shall be titled in the county's
8 name, with no fee, and the county treasurer shall issue the
9 title.

10 5. The seller or transferor may file an affidavit on
11 forms prescribed and provided by the department with ~~the~~ any
12 county treasurer ~~of the county where the vehicle is registered~~
13 certifying the sale or transfer of ownership of the vehicle
14 and the assignment and delivery of the certificate of title
15 for the vehicle. Upon receipt of the affidavit, the county
16 treasurer shall file the affidavit with the copy of the
17 registration receipt for the vehicle on file in the treasurer's
18 office and on that day the treasurer shall note receipt of the
19 affidavit in the vehicle registration and titling system. Upon
20 filing the affidavit, it shall be presumed that the seller or
21 transferor has assigned and delivered the certificate of title
22 for the vehicle. For a leased vehicle, the lessor licensed
23 pursuant to [chapter 321F](#) or the lessee may file an affidavit
24 as provided in [this subsection](#) certifying that the lease has
25 expired or been terminated and the date that the leased vehicle
26 was surrendered to the lessor.

27 Sec. 11. Section 321.47, subsections 1 and 3, Code 2021, are
28 amended to read as follows:

29 1. If ownership of a vehicle is transferred by operation of
30 law upon inheritance, devise or bequest, dissolution decree,
31 order in bankruptcy, insolvency, replevin, foreclosure or
32 execution sale, abandoned vehicle sale, or when the engine of a
33 motor vehicle is replaced by another engine, or a vehicle is
34 sold or transferred to satisfy an artisan's lien as provided
35 in [chapter 577](#), a landlord's lien as provided in [chapter 570](#),

1 a self-service storage facility lien as provided in section
2 578A.7, a storage lien as provided in [chapter 579](#), a judgment
3 in an action for abandonment of a manufactured or mobile home
4 as provided in [chapter 555B](#), upon presentation of an affidavit
5 relating to the disposition of a valueless mobile, modular, or
6 manufactured home as provided in [chapter 555C](#), or repossession
7 is had upon default in performance of the terms of a security
8 agreement, ~~the any county treasurer in the transferee's county~~
9 ~~of residence~~ or, in the case of a mobile home or manufactured
10 home, the county treasurer of the county where the mobile home
11 or manufactured home is located, upon the surrender of the
12 prior certificate of title or the manufacturer's or importer's
13 certificate, or when that is not possible, upon presentation
14 of satisfactory proof to the county treasurer of ownership
15 and right of possession to the vehicle and upon payment of a
16 fee of ~~twenty~~ twenty-five dollars and the presentation of an
17 application for initial registration and certificate of title,
18 may issue to the applicant a registration card for the vehicle
19 and a certificate of title to the vehicle. A person entitled
20 to ownership of a vehicle under a decree of dissolution shall
21 surrender a reproduction of a certified copy of the dissolution
22 and upon fulfilling the other requirements of [this chapter](#) is
23 entitled to a certificate of title and registration receipt
24 issued in the person's name.

25 3. Whenever ownership of a vehicle is transferred under the
26 provisions of [this section](#), the registration plates shall be
27 removed and forwarded to ~~the any county treasurer of the county~~
28 ~~where the vehicle is registered~~ or to the department if the
29 vehicle is owned by a nonresident. Upon transfer the vehicle
30 shall not be operated upon the highways of this state until the
31 person entitled to possession of the vehicle applies for and
32 obtains initial registration for the vehicle.

33 Sec. 12. Section 321.48, subsection 2, Code 2021, is amended
34 to read as follows:

35 2. A foreign registered vehicle purchased or otherwise

1 acquired by a dealer for the purpose of resale shall be issued
2 a certificate of title for the vehicle by ~~the~~ any county
3 ~~treasurer of the dealer's residence~~ upon proper application
4 as provided in this chapter and upon payment of a fee of ~~five~~
5 ten dollars and the dealer is exempt from the payment of any
6 and all registration fees for the vehicle. The application
7 for certificate of title shall be made within thirty days
8 after the vehicle comes within the border of the state.

9 However, a dealer acquiring a vehicle registered in another
10 state which permits Iowa dealers to reassign that state's
11 certificates of title shall not be required to obtain a new
12 initial registration or a new certificate of title and upon
13 transferring title or interest to another person shall execute
14 an assignment upon the certificate of title for the vehicle
15 to the person to whom the transfer is made and deliver the
16 assigned certificate of title to the person.

17 Sec. 13. Section 321.49, subsection 1, Code 2021, is amended
18 to read as follows:

19 1. Except as provided in section 321.52, if an application
20 for transfer of registration and certificate of title is not
21 submitted to ~~the~~ any county treasurer ~~of the residence of~~
22 ~~the transferee~~ within thirty days of the date of assignment
23 or transfer of title, or within thirty days of the date of
24 delivery to the purchaser if the vehicle is subject to a
25 security interest and was offered for sale pursuant to section
26 321.48, subsection 1, a penalty of ten dollars shall accrue
27 against the applicant, and no registration card or certificate
28 of title shall be issued to the applicant for the vehicle until
29 the penalty is paid.

30 Sec. 14. Section 321.50, subsection 1, Code 2021, is amended
31 to read as follows:

32 1. A security interest in a vehicle subject to registration
33 under the laws of this state ~~or a mobile home or manufactured~~
34 ~~home~~, except trailers whose empty weight is two thousand
35 pounds or less, and except new or used vehicles held by a

1 dealer or manufacturer as inventory for sale, is perfected by
 2 the delivery to the any county treasurer of the county where
 3 ~~the certificate of title was issued or, in the case of a new~~
 4 ~~certificate, to the county treasurer where the certificate will~~
 5 ~~be issued,~~ of an application for certificate of title which
 6 lists the security interest, or an application for notation
 7 of security interest signed by the owner or by one owner of
 8 a vehicle owned jointly by more than one person, or signed
 9 through electronic means as determined by the department, or a
 10 certificate of title from another jurisdiction which shows the
 11 security interest, and payment of a fee of ~~ten~~ fifteen dollars
 12 for each security interest shown. The security interest in a
 13 mobile home or manufactured home is perfected by the delivery
 14 to the county treasurer of the county where the certificate
 15 of title was issued or, in the case of a new certificate, to
 16 the county treasurer where the certificate will be issued,
 17 of an application for certificate of title which lists the
 18 security interest, or an application for notation of security
 19 interest signed by the owner or by one owner when owned jointly
 20 by more than one person, or signed through electronic means
 21 as determined by the department, or a certificate of title
 22 from another jurisdiction which shows the security interest,
 23 and payment of a fee of fifteen dollars for each security
 24 interest shown. The department shall require the federal
 25 employer identification number of a secured party who is a
 26 firm, association, or corporation or, if a natural person,
 27 the social security number. Upon delivery of the application
 28 and payment of the fee, the county treasurer shall note the
 29 date of delivery on the application. If the delivery is by
 30 electronic means and the time is electronically recorded on the
 31 application along with the date, the time shall be included
 32 with the date on all subsequent documents and records where the
 33 date of perfection is required under this chapter. The date
 34 of delivery shall be the date of perfection of the security
 35 interest in the vehicle, regardless of the date the security

1 interest is noted on the certificate of title. Up to three
2 security interests may be perfected against a vehicle and shown
3 on an Iowa certificate of title. If the owner or secured party
4 is in possession of the certificate of title, it must also be
5 delivered at this time. If a vehicle is subject to a security
6 interest when brought into this state, the validity of the
7 security interest and the date of perfection is determined by
8 section 554.9303. Delivery as provided in [this subsection](#)
9 constitutes perfection of a security interest on a certificate
10 of title for purposes of [this chapter](#) and [chapter 554](#).

11 Sec. 15. Section 321.50, subsection 5, paragraphs a and c,
12 Code 2021, are amended to read as follows:

13 a. When a security interest is discharged, the holder
14 shall note a cancellation of the security interest on the
15 face of the certificate of title over the holder's signature
16 or may note the cancellation of the security interest on a
17 separate, notarized release form or letter. The holder shall
18 deliver the certificate of title and the form or letter, if
19 applicable, to ~~the~~ any county treasurer ~~where the title was~~
20 ~~issued~~. In the case of a security interest that has been
21 delivered by electronic means, the holder shall notify the
22 department or the county treasurer, in a manner prescribed
23 by the department, of the release of the security interest.
24 The county treasurer shall immediately note the cancellation
25 of the security interest on the face of the certificate of
26 title, if applicable, and in the county records system. The
27 county treasurer shall on the same day deliver the certificate
28 of title, if applicable, and the separate, notarized release
29 form or letter, if applicable, to the then first secured party
30 or, if there is no such person, to the person as directed by
31 the owner, in writing, on a form prescribed by the department
32 or, if there is no person designated, then to the owner. The
33 cancellation of the security interest shall be noted on the
34 certificate of title by the county treasurer without charge.
35 The holder of a security interest discharged by payment who

1 fails to release the security interest within fifteen days
 2 after being requested in writing to do so shall forfeit to the
 3 person making the payment the sum of twenty-five dollars.

4 *c.* When a security interest is discharged, the lienholder
 5 shall note the cancellation of the security interest on the
 6 face of the title and, if applicable, may note the cancellation
 7 of the security interest on a form prescribed by the department
 8 and deliver a copy of the form in lieu of the title to the
 9 department or to the any county treasurer ~~of the county in~~
 10 ~~which the title was issued~~. The form may be delivered by
 11 electronic means. The department or county treasurer shall
 12 note the release of the security interest upon the statewide
 13 computer system and the county's records. A copy of the form,
 14 if used, shall be attached to the title by the lienholder, if
 15 the title is held by the lienholder, and shall be evidence of
 16 the release of the security interest. If the title is held
 17 by the lienholder, the lienholder shall deliver the title to
 18 the first lienholder, or if there is no such person, to the
 19 person as designated by the owner, or if there is no such
 20 person designated, to the owner. If a certificate of title
 21 has not been issued, upon release of a security interest, the
 22 lienholder shall notify the department or the county treasurer,
 23 in a manner prescribed by the department, of the release of the
 24 security interest.

25 Sec. 16. Section 321.52, subsection 2, paragraph a, Code
 26 2021, is amended to read as follows:

27 *a.* The purchaser or transferee of a motor vehicle subject to
 28 registration for which a certificate of title is issued which
 29 is sold for scrap or junk shall surrender the certificate of
 30 title, properly endorsed and signed by the previous owner, to
 31 the any county treasurer ~~of the county of residence of the~~
 32 ~~transferee~~, and shall apply for a junking certificate from the
 33 county treasurer, within thirty days after assignment of the
 34 certificate of title, except when the vehicle is disposed of
 35 pursuant to paragraph "b". The county treasurer shall issue

1 to such person without fee a junking certificate. A junking
2 certificate shall authorize the holder to possess, transport,
3 or transfer by endorsement the ownership of the junked vehicle.
4 A certificate of title shall not again be issued for the
5 vehicle subsequent to the issuance of a junking certificate
6 except as provided in subsection 3. The county treasurer shall
7 cancel the record of the vehicle. The junking certificate
8 shall be printed on the registration receipt form and shall be
9 imprinted with the words "junking certificate", as prescribed
10 by the department. A space for transfer by endorsement
11 shall be on the junking certificate. A separate form for the
12 notation of the transfer of component parts shall be attached
13 to the junking certificate when the certificate is issued.

14 Sec. 17. Section 321.52, subsection 4, paragraphs a and b,
15 Code 2021, are amended to read as follows:

16 a. Notwithstanding any other provision of law to the
17 contrary, an insurer may apply for and be issued a salvage
18 certificate of title for a motor vehicle without surrendering
19 the certificate of title or manufacturer's or importer's
20 statement of origin properly assigned if ownership of the
21 vehicle was transferred, or will transfer, to the insurer
22 pursuant to a settlement with the previous owner of the vehicle
23 arising from circumstances involving damage to the vehicle,
24 and at least thirty days have expired since the effective
25 date of such settlement. To obtain a salvage certificate
26 of title pursuant to this paragraph "a", the insurer shall
27 submit an application for a salvage certificate of title to
28 ~~the any county treasurer of the county in which the vehicle~~
29 ~~is stored by or on behalf of the insurer.~~ The application
30 shall be accompanied by an affidavit from the insurer in
31 which the insurer certifies it has made at least two written
32 attempts to obtain a properly assigned certificate of title
33 or manufacturer's or importer's statement of origin for the
34 vehicle by contacting the previous owner of the vehicle and all
35 lienholders of record by certified mail or a similar service

1 that provides proof of service using a return receipt, and
 2 has been unable to obtain the title or statement of origin.
 3 The failure of a previous owner or lienholder to provide a
 4 properly assigned certificate of title or manufacturer's or
 5 importer's statement of origin shall be deemed to be a waiver
 6 by the previous owner or lienholder of all rights, title,
 7 claim, and interest in the vehicle. The application shall also
 8 be accompanied by the application fee required under paragraph
 9 "b", and proof of payment of the total amount of the settlement
 10 by the insurer to the previous owner of the vehicle. Upon
 11 receiving an application that complies with this paragraph "a",
 12 the county treasurer shall issue a salvage certificate of title
 13 to the insurer which shall be free and clear of all liens and
 14 claims of ownership and shall bear the word "SALVAGE" stamped
 15 or printed on the face of the title in a manner prescribed by
 16 the department.

17 b. A vehicle rebuilder or a person engaged in the business
 18 of buying, selling, or exchanging vehicles of a type required
 19 to be registered in this state, upon acquisition of a wrecked
 20 or salvage vehicle, shall surrender the certificate of
 21 title or manufacturer's or importer's statement of origin
 22 properly assigned, together with an application for a salvage
 23 certificate of title, to ~~the any~~ county treasurer ~~of the county~~
 24 ~~of residence of the purchaser or transferee~~ within thirty days
 25 after the date of assignment of the certificate of title for
 26 the wrecked or salvage motor vehicle. This subsection applies
 27 only to vehicles with a fair market value of five hundred
 28 dollars or more, based on the value before the vehicle became
 29 wrecked or salvage. Upon payment of a fee of ~~ten~~ fifteen
 30 dollars, the county treasurer shall issue a salvage certificate
 31 of title which shall bear the word "SALVAGE" stamped or
 32 printed on the face of the title in a manner prescribed by the
 33 department. A salvage certificate of title may be assigned
 34 to an educational institution, a new motor vehicle dealer
 35 licensed under chapter 322, a person engaged in the business

1 of purchasing bodies, parts of bodies, frames or component
2 parts of vehicles for sale as scrap metal, a salvage pool, or
3 an authorized vehicle recycler licensed under [chapter 321H](#). An
4 authorized vehicle recycler licensed under [chapter 321H](#) or a
5 new motor vehicle dealer licensed under [chapter 322](#) may assign
6 or reassign an Iowa salvage certificate of title or a salvage
7 certificate of title from another state to any person, and the
8 provisions of [section 321.24, subsection 5](#), requiring issuance
9 of an Iowa salvage certificate of title shall not apply. A
10 vehicle on which ownership has transferred to an insurer of
11 the vehicle as a result of a settlement with the owner of the
12 vehicle arising out of damage to, or unrecovered theft of, the
13 vehicle shall be deemed to be a wrecked or salvage vehicle
14 and the insurer shall comply with [this subsection](#) to obtain a
15 salvage certificate of title within thirty days after the date
16 of assignment of the certificate of title of the vehicle.

17 Sec. 18. Section 321.105A, subsection 2, unnumbered
18 paragraph 1, Code 2021, is amended to read as follows:

19 In addition to the annual registration fee required under
20 section 321.105, a "fee for new registration" is imposed in
21 the amount of five dollars plus five percent of the purchase
22 price for each vehicle subject to registration. The fee for
23 new registration shall be paid by the owner of the vehicle to
24 the county treasurer at the time application is made for a new
25 initial registration and certificate of title, if applicable.
26 A new registration receipt shall not be issued until the
27 fee has been paid. The county treasurer or the department
28 of transportation shall require every applicant for a new
29 registration receipt for a vehicle subject to registration to
30 supply information as the county treasurer or the director
31 deems necessary as to the time of purchase, the purchase
32 price, and other information relative to the purchase of the
33 vehicle. On or before the tenth day of each month, the county
34 treasurer or the department of transportation shall remit
35 to the department of revenue the amount of the fees for new

1 registration collected during the preceding month.

2 Sec. 19. Section 321.105A, subsection 3, paragraph a, Code
3 2021, is amended to read as follows:

4 a. A fee for new registration is imposed in an amount equal
5 to five dollars plus five percent of the leased price for each
6 vehicle subject to registration with a gross vehicle weight
7 rating of less than sixteen thousand pounds which is leased
8 by a lessor licensed pursuant to [chapter 321F](#) for a period of
9 twelve months or more. The fee for new registration shall
10 be paid by the owner of the vehicle to the county treasurer
11 from whom the registration receipt or certificate of title is
12 obtained. A registration receipt for a vehicle subject to
13 registration or issuance of a certificate of title shall not
14 be issued until the fee for new registration is paid in the
15 initial instance.

16 Sec. 20. Section 321.109, subsection 1, paragraph a, Code
17 2021, is amended to read as follows:

18 a. The annual fee for all motor vehicles including vehicles
19 designated by manufacturers as station wagons, 1993 and
20 subsequent model year multipurpose vehicles, and 2010 and
21 subsequent model year motor trucks with an unladen weight of
22 ten thousand pounds or less, except motor trucks registered
23 under [section 321.122](#), business-trade trucks, special trucks,
24 motor homes, motorsports recreational vehicles, ambulances,
25 hearses, autocycles, motorcycles, motorized bicycles, and 1992
26 and older model year multipurpose vehicles, shall be equal
27 to one percent of the value as fixed by the department plus
28 forty cents for each one hundred pounds or fraction thereof
29 of weight of vehicle, as fixed by the department. The weight
30 of a motor vehicle, fixed by the department for registration
31 purposes, shall include the weight of a battery, heater,
32 bumpers, spare tire, and wheel. Provided, however, that for
33 any new vehicle purchased in this state by a nonresident
34 for removal to the nonresident's state of residence the
35 purchaser may make application to ~~the~~ any county treasurer

1 ~~in the county of purchase~~ for a transit plate for which a
2 fee of ten dollars shall be paid. And provided, however,
3 that for any used vehicle held by a registered dealer and
4 not currently registered in this state, or for any vehicle
5 held by an individual and currently registered in this state,
6 when purchased in this state by a nonresident for removal
7 to the nonresident's state of residence, the purchaser may
8 make application to ~~the~~ any county treasurer ~~in the county~~
9 ~~of purchase~~ for a transit plate for which a fee of three
10 dollars shall be paid. The county treasurer shall issue a
11 nontransferable certificate of registration for which no
12 refund shall be allowed; and the transit plates shall be void
13 thirty days after issuance. Such purchaser may apply for a
14 certificate of title by surrendering the manufacturer's or
15 importer's certificate or certificate of title, duly assigned
16 as provided in this chapter. In this event, the county
17 ~~treasurer in the county of purchase~~ shall, when satisfied
18 with the genuineness and regularity of the application, and
19 upon payment of a fee of ~~twenty~~ twenty-five dollars, issue a
20 certificate of title in the name and address of the nonresident
21 purchaser delivering the title to the owner. If there is a
22 security interest noted on the title, the county treasurer
23 shall mail to the secured party an acknowledgment of the
24 notation of the security interest. The county treasurer
25 shall not release a security interest that has been noted on
26 a title issued to a nonresident purchaser as provided in this
27 paragraph. The application requirements of section 321.20
28 apply to a title issued as provided in this subsection, except
29 that a natural person who applies for a certificate of title
30 shall provide either the person's social security number,
31 passport number, or driver's license number, whether the
32 license was issued by this state, another state, or another
33 country. The provisions of this subsection relating to
34 multipurpose vehicles are effective for all 1993 and subsequent
35 model years. The annual registration fee for multipurpose

1 vehicles that are 1992 model years and older shall be in
2 accordance with [section 321.124](#).

3 Sec. 21. Section 321.109, subsection 3, Code 2021, is
4 amended to read as follows:

5 3. The owner of an unregistered motor vehicle or motor
6 vehicle for which the registration is delinquent may make
7 application to the any county treasurer of the county of
8 ~~residence or, if the unregistered or delinquent motor vehicle~~
9 ~~is purchased by a nonresident of the state, to the county~~
10 ~~treasurer in the county of purchase,~~ for a temporary thirty-day
11 permit for a fee of twenty-five dollars. The permit shall
12 authorize the motor vehicle to be driven or towed upon the
13 highway, but shall not authorize a motor truck or truck tractor
14 to haul or tow a load. The permit fee shall not be considered a
15 registration fee or exempt the owner from payment of all other
16 fees, registration fees, and penalties due. If the annual
17 registration fee for the motor vehicle is delinquent, the
18 annual registration fee and penalty shall continue to accrue
19 until paid. The permit fee shall not be prorated, refunded, or
20 used as credit as provided under [section 321.46](#). The permit
21 shall be displayed in the upper left-hand corner of the rear
22 window of all motor vehicles, except motorcycles. Permits
23 issued for a motorcycle shall be attached to the rear of the
24 motorcycle.

25 Sec. 22. Section 321.126, subsection 1, paragraph g, Code
26 2021, is amended to read as follows:

27 g. If the vehicle was leased and an affidavit was filed
28 by the lessor or the lessee as provided in [section 321.46](#),
29 the lessor or the lessee, as applicable, may make a claim for
30 a refund with the county treasurer of the county where the
31 vehicle was registered within six months of the vehicle's
32 surrender to the lessor. The refund shall be paid to either
33 the lessor or the lessee, as specified on the application for
34 title and initial registration pursuant to [section 321.20](#).

35 Sec. 23. Section 321.152, subsection 1, paragraphs b, d, and

1 f, Code 2021, are amended to read as follows:

2 b. ~~Two~~ Seven dollars and fifty cents from each fee collected
3 for certificates of title.

4 ~~d. Sixty percent~~ Eleven dollars of all fees each fee
5 collected for perfection of security interests.

6 ~~f. One-dollar~~ Six dollars from each fee for new registration
7 collected pursuant to [section 321.105A](#).

EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 Under current law, only certain county treasurers are
12 allowed to do certain actions relating to motor vehicle
13 registration and titling. This bill provides that any county
14 treasurer can do any of the following: accept applications
15 for initial registration and issue initial registrations
16 and certificates of title to owners of vehicles, owners of
17 commercial vehicles, owners of certain foreign vehicles,
18 owners of transferred vehicles, owners of vehicles with a
19 lost or damaged certificate of title, owners of vehicles
20 transferred by law, and nonresident purchasers of vehicles;
21 receive forwarded plates from the owner of a registered vehicle
22 who has transferred or assigned ownership of the vehicle to
23 another person; accept the return of an original certificate
24 of title from a lienholder; issue an original certificate of
25 title to a new purchaser or transferee who presents an assigned
26 replacement copy; receive affidavits certifying the sale or
27 transfer of ownership of a vehicle; receive registration plates
28 from a vehicle that has been transferred by operation of law;
29 issue certificates of title to dealers in possession of foreign
30 registered vehicles; receive applications for the transfer
31 of registration and certificates of title; perfect security
32 interests; accept certificates of title, or other forms,
33 noting that a security interest has been discharged; receive
34 certificates of title of vehicles that have been sold for scrap
35 or junk; accept applications for salvage certificates of title;

1 receive certificates of title of a wrecked or salvage vehicle;
2 and accept applications and issue temporary permits for
3 vehicles that are unregistered or have delinquent registration.

4 The bill increases the following fees from \$20 to \$25:
5 applications for initial registration and issuance of a
6 certificate of title for a vehicle, applications for initial
7 registration and issuance of a certificate of title for a
8 commercial vehicle, applications for initial registration
9 of a vehicle failing to meet the equipment requirements of
10 Code chapter 321, applications for a replacement copy of an
11 original certificate of title, applications for a new initial
12 registration and a new title upon transfer, applications for
13 initial registration and issuance of a certificate of title for
14 a vehicle transferred by operation of law, and applications for
15 certificate of title to a nonresident purchaser.

16 The bill increases the following fees from \$10 to \$15:
17 applications by a manufacturer for a certificate of title
18 pursuant to Code section 322G.12, applications to perfect
19 a security interest in a vehicle by delivery to a county
20 treasurer, and applications for the issuance of a salvage
21 certificate of title.

22 The bill increases the fee for applications for certificates
23 of title by a dealer for a foreign registered vehicle from \$5
24 to \$10.

25 An application for renewal of registration for a vehicle
26 shall be submitted to the county treasurer of the county of the
27 owner's residence, or if a nonresident or a firm association or
28 corporation with vehicles in multiple counties, to the county
29 treasurer of the county where the primary users of the vehicle
30 are located, or if a lessor of the vehicle, to the county
31 treasurer of the county of the lessee's residence. However,
32 the bill does not change the requirement under Code section
33 321.166 that every registration plate issued by a county
34 treasurer must display the name of the county where the plate
35 is issued. Under the bill, a person may register a vehicle

1 other than by renewal in any county.

2 The bill amends Code section 321.20(2) by striking the
3 current date by which the department of transportation (DOT)
4 is required to develop and implement a program to allow for
5 electronic applications, titling, initial registrations, and
6 funds transfers for vehicles subject to registration.

7 Current law provides that, in addition to the annual
8 registration fee, a fee for new registration is imposed
9 in the amount of 5 percent of the purchase price for each
10 vehicle subject to registration. The bill increases the fee
11 by providing that the fee for new registration is \$5 plus
12 5 percent of the purchase price of each vehicle subject to
13 registration. Furthermore, the bill increases the fee for
14 new registration of leased vehicles by imposing a \$5 fee in
15 addition to 5 percent of the leased price.

16 Lastly, the bill changes the amounts of certain fees a
17 county treasurer may retain for deposit in the county general
18 fund. The bill provides the treasurer may retain \$7.50 from
19 each fee collected for certificates of title, \$11 from each
20 fee collected for perfection of security interests, and \$6
21 from each fee for new registration. The bill makes conforming
22 changes to Code sections 321.25, 321.29, and 321.126.